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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY  
DOCKET NO.

In the Matter of	:	
	:	Administrative Action
MICHAEL F. PARISE, D.D.S.	:	
	:	MODIFIED CONSENT ORDER
Licensed to Practice Dentistry	:	
in the State of New Jersey	:	

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon information disclosed in a report from the Enforcement Bureau that Michael F. Parise, D.D.S. was writing prescriptions for Controlled Dangerous Substances (C.D.S.) in the names of female patients; he was presenting the prescriptions to the pharmacists; and he was picking up and paying in cash for the prescriptions. On January 17, 1996 the Board held an investigative inquiry into the matter. Dr. Parise was present and represented by Robert Conroy, Esq. Also present on behalf of Dr. Parise was Dr. David Canavan of the Physicians Health Program of the Medical Society of New Jersey. Dr. Parise testified that he has a drug dependency problem and was currently not practicing dentistry in the State of New Jersey. Dr. Parise further testified that he recently spent twelve weeks in an inpatient treatment program at the William J. Farley Center in Williamsburg, Virginia. The program is an alcohol/chemical dependency program which specializes in the treatment of impaired

professionals and is an extended care facility. Dr. Parise has signed a two year Continuing Care Contract with The William J. Farley Center, and his continuing recovery is being followed and monitored by Dr. Canavan. Further, pursuant to an Interim Consent Order filed with the Board office on August 22, 1996, Dr. Parise was evaluated by Dr. Ray Hanbury (psychologist) to determine the status of Dr. Parise's drug dependency. Upon completion of the evaluation and report, Dr. Hanbury sent the report to the Board for its review.

The Board having heard the testimony of Dr. Parise and Dr. Canavan, having reviewed the reports and records in this matter including copies of Dr. Parise's medical history from the William J. Farley Center and Dr. Hanbury's report, and having been advised that Dr. Parise will continue in a rehabilitation program under the supervision of the Physicians' Health Program, and it appearing that Dr. Parise wishes to resolve this matter without resort to formal proceedings and for good cause shown;

IT IS ON THIS 30<sup>th</sup> DAY OF OCTOBER 1996,

HEREBY ORDERED AND AGREED THAT:

1. The license of Michael F. Parise, D.D.S. ("respondent") to practice dentistry in the State of New Jersey shall be and is hereby suspended for one year effective from October 17, 1996 when the initial Consent Order was filed with the Board office. Said suspension is stayed and constitutes a one year period of probation.

2. Respondent shall continue enrollment in the Physicians' Health Program (PHP) and shall comply with a monitoring program supervised by PHP which shall include, at a minimum, the conditions set forth herein.

3. Respondent shall have his urine monitored under the supervision of the PHP on a random, unannounced basis, twice weekly. The urine monitoring shall be conducted with direct witnessing of the taking of the samples either from a volunteer or drug clinic staff as arranged and

designated by the PHP. The initial drug screen shall utilize the EMIT technique and all confirming tests and/or secondary tests shall be performed by gas chromatography/mass spectrometry (G.C./M.S.). The testing procedure shall include a forensic chain of custody protocol to ensure sample integrity and to provide documentation in the event of a legal challenge. The PHP shall be responsible to assure that all urine samples are handled by a laboratory competent to provide these services.

All test results shall be provided in the first instance directly to the PHP, and any positive result shall be reported immediately by the PHP to Agnes Clarke, Executive Director of the Board, or her designee in the event she is unavailable. The Board also will retain sole discretion to modify the manner of testing in the event technical developments or individual requirements indicate that a different methodology or approach is required in order to guarantee the accuracy and reliability of the testing.

Any failure by the respondent to submit or provide a urine sample within twenty-four (24) hours of a request shall be deemed to be equivalent to a confirmed positive urine test. In the event the respondent is unable to appear for a scheduled urine test or provide a urine sample due to illness or other impossibility, consent to waive that day's test must be secured from Dr. Canavan of the PHP. Neither the volunteer nor drug clinic staff shall be authorized to consent to waive a urine test. In addition, respondent must provide the PHP with written substantiation of his inability to appear within two days after permission is granted to waive a test, e.g., a physician's report attesting that the respondent was so ill that he was unable to provide the urine sample or appear for the test. "Impossibility" as employed in this provision shall mean an obstacle beyond the control of the respondent that is so insurmountable or that makes appearance for the test or provision of the urine sample so infeasible that a reasonable person would not withhold consent to waive the test on that

day. The PHP shall advise the Board of every instance where a request has been made to waive a urine test together with the Program's determination in each such case.

In the event respondent will be out of state for any reason, the PHP shall be so advised and arrangements shall be made for a urine test prior to the resumption of dental practice upon return to the state.

Respondent shall be required to place a telephone call to Agnes Clarke, Director of the Board (or her designee) on the Monday of any week when respondent has not been called by or has not in fact provided to the PHP two urine samples during the immediate preceding seven days. Further, respondent shall advise Agnes Clarke immediately in the event respondent is notified by the PHP that a urine test will not be made for a period of seven days or longer for any reason whatsoever including, but not limited to, vacations, office closures or illness.

The Board may in its sole discretion modify the frequency of testing or method of reporting during the monitoring period.

4. Respondent shall attend support groups including weekly Caduceus/IDAA meetings, AA/NA meetings at a minimum of three times per week, weekly Aftercare Group meetings with Harold Clotworthy for a minimum of one year beginning January 9, 1996, and William J. Farley Center alumni meetings at least once a year. Respondent shall provide evidence of attendance at such groups directly to the PHP on a form or in a manner as required by the Program. The PHP shall advise the Board immediately in the event it receives information that respondent has discontinued attendance at any of the support groups.

5. The PHP shall provide quarterly reports to the Board in regard to its monitoring of respondent's program as outlined herein, including but not limited to the urine testing and the attendance at support groups. The Program shall attach to its quarterly reports any and all appropriate reports and/or documentation concerning any of the monitoring aspects of the within program.

6. Respondent shall attend individual therapy with Yitzhak Shnaps, M.D. (psychiatrist), or any other therapist approved by the Board, at a frequency recommended by said therapist.

Respondent shall cause his therapist to provide quarterly reports directly to the Board with respect to his attendance and progress in therapy and the monitoring of any medication prescribed.

7. Respondent shall meet with the staff of the PHP with the frequency to be determined by the medical director.

8. Respondent shall not prescribe controlled dangerous substances nor shall he possess such substances except pursuant to a bona fide prescription written by a physician or dentist for good medical or dental cause. Respondent shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report shall be provided to the Board no later than seven days subsequent to the prescription in order to avoid confusion which may be caused by a confirmed positive urine test as a result of such medication.

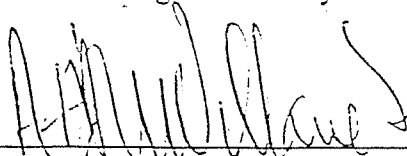
9. Respondent shall surrender to the Board his D.E.A. and C.D.S. registrations.

10. Respondent shall provide appropriate releases to any and all parties who have information concerning respondent's drug dependency within the last two years and/or who are participating in the monitoring program as outlined herein as may be required in order that all reports, records, and other pertinent information may be provided to the Board in a timely manner.

11. All costs associated with the monitoring program as outlined herein shall be paid directly by the respondent.

12. It is expressly understood and agreed that the reinstatement of a license to practice dentistry in New Jersey and continued licensure is contingent upon strict compliance with all of the aforementioned conditions. If the Board receives any information indicating that any term of the within Consent Order has been violated in any manner whatsoever, including but not limited to a

verbal report of a conformed positive urine or any other evidence that respondent has used an addictive substance, a hearing shall be held on short notice before the Board or before its representative authorized to act on its behalf. The proofs of such a hearing shall be limited to evidence of the particular violation at issue. Any confirmed positive urine test shall be presumed valid, and respondent shall bear the burden demonstrating its invalidity.



ANTHONY VILLANE, D.D.S.  
PRESIDENT  
STATE BOARD OF DENTISTRY

I have read and understand  
the within order and agree  
to be bound by its terms.  
Consent is hereby given to  
the Board to enter this  
Order.

  
MICHAEL F. PARISE, D.D.S.